

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**  
Alexandria Division

<b>UNITED STATES OF AMERICA,</b>	:	
	:	
<b>v.</b>	:	<b>Criminal Case No. 1:18-CR-457 (AJT)</b>
	:	
<b>BIJAN RAFIEKIAN, et al.</b>	:	

**DEFENDANT RAFIEKIAN’S NON-CONFIDENTIAL SUPPORTING MEMORANDUM**

Pursuant to Local Criminal Rule 49(D), Mr. Rafiekian, through counsel, respectfully moves the Court for leave to file under seal a reply to the government’s response to Mr. Rafiekian’s July 5th memorandum.

The Court has inherent power to seal submitted materials. *See In re Knight Pub. Co.*, 743 F.2d 231, 235 (4th Cir. 1984) (“The trial court has supervisory power over its own records and may, in its discretion, seal documents if the public’s right of access is outweighed by competing interests.”); *Am. Civil Liberties Union v. Holder*, 673 F.3d 245, 255–56 (4th Cir. 2011).

Mr. Rafiekian will address the government’s response at today’s hearing. However, one point in the government’s response warrants a short filing to correct a misstatement in the government’s response. As stated in Mr. Rafiekian’s July 5th motion to file under seal, because the government filed its motion *ex parte* and under seal, Mr. Rafiekian may only address the government’s response by also filing under seal.

Accordingly, Mr. Rafiekian seeks an Order granting his request for leave to file his response memorandum under seal.

Dated: July 8, 2019

Respectfully submitted,

/s/  
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**CERTIFICATE OF SERVICE**

I hereby certify that, on the 8th day of July 2019, true and genuine copies of Defendant Bijan Rafiekian's Memorandum in Support of his Motion for Leave to File Under Seal was sent via electronic mail by the Court's CM/ECF system to the following:

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